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February 23, 2012

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Federal Communications Commission  
Office of the Secretary

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FEB 23 2012

Federal Communications Commission  
Office of the Secretary

**VIA HAND-DELIVERY**

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Suite TW-A325  
Washington, DC 20554

Re: Start Wireless Group, Inc.,  
d/b/a Page Plus Cellular  
Annual CPNI Certification—2011  
(EB Docket No. 06-36)

Dear Ms. Dortch:

Pursuant to Section 222 of the Communications Act of 1934, as amended, and the provisions of §64.2009(e) of the Commission's Rules, there are transmitted herewith, on behalf of Start Wireless Group, Inc., d/b/a Page Plus Cellular, an original and four (4) copies of its 2011 "Annual Customer Proprietary Network Information ('CPNI') Certification."

Should any question arise in connection with this matter, please communicate directly with undersigned counsel at the address and phone number shown above.

Very truly yours,



Robert E. Levine  
Counsel for  
Start Wireless Group, Inc.  
d/b/a Page Plus Cellular

REL/wl

cc: Best Copy and Printing, Inc.  
445 12<sup>th</sup> Street, S.W.  
Suite CY-B402

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**Annual 47 C.F.R. § 64.2009(e) CPNI Certification for 2011**

**EB Docket 06-36**

**Date filed:** February 23, 2012.

**Name of company covered by this certification:** Start Wireless Group, Inc.,  
d/b/a Page Plus Cellular

**Form 499 Filer ID:** 826775

**Name of signatory:** Abdul A. Yassine

**Title of signatory:** President

I, Abdul A. Yassine, certify that I am President of Start Wireless Group, Inc., d/b/a Page Plus Cellular, and, acting as an agent of the company, I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules as set forth at 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (*i.e.*, proceedings instituted or petitions filed by it at either state commissions, the court system, or at the Federal Communications Commission) against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release or disclosure of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed: A. A. Yassine  
**ABDUL A. YASSINE**  
President

Dated this 21<sup>st</sup> day of February, 2012.

**PROCEDURES OF START WIRELESS GROUP, INC.  
ARE IN COMPLIANCE WITH SECTION 64.2001 *et seq.*  
OF THE COMMISSION'S RULES**

Start Wireless Group, Inc., d/b/a Page Plus Cellular ("Start Wireless") has taken very careful and comprehensive steps to ensure that it is in compliance with the Commission's CPNI rules.

**INITIALLY, IT SHOULD BE NOTED THAT IT IS, AND HAS BEEN, THE STRICT POLICY OF START WIRELESS THAT A CUSTOMER'S CPNI MAY NOT FOR ANY REASON BE USED, SOLD, MARKETED, DISCLOSED, DIVULGED, TRANSMITTED, TRANSFERRED, CONVEYED, SHARED, OR IN ANY OTHER MANNER GIVEN OR REVEALED TO ANY PERSON(S) OR ANY ENTITY, OR ENTITIES. FURTHERMORE, START WIRELESS NEVER HAS EVEN USED CUSTOMERS' CPNI FOR ITS *OWN* MARKETING PURPOSES, OR FOR ANY PROHIBITED PURPOSE.**

Should the Start Wireless policy with respect to the handling of CPNI change, customers will be notified in advance of such change in writing, in accordance with FCC Rules. Should such change occur, or should any such CPNI mistakenly be used, sold, marketed, disclosed, provided, divulged, transmitted, transferred, conveyed, or in any other manner given to any person(s) or any entity, or entities, then all applicable provisions of §64.2001 *et seq.* of the FCC's Rules applicable to CPNI shall be observed.

All Start Wireless personnel (including all employees, officers, and directors) who reasonably can be anticipated to, or who unintentionally may, or actually do come into contact with, any customer's CPNI, are required to read and fully understand the content of the Company's detailed "Compliance Manual" entitled "Procedures and Safeguards Regarding use and Handling of Customer Proprietary Network Information ("CPNI"). Once the manual has been read, personnel must indicate their comprehension of, and adherence to, its contents, by signing a "Certification" where indicated on the last page of the manual, and returning it to their immediate supervisor. A reference copy of the document will then be provided to such personnel who, when signing the "Certification" acknowledge that their failure to adhere to the guidelines in the "Compliance Manual" "shall be cause for [their] immediate dismissal." The "Certification" states as follows:



### CERTIFICATION

I, \_\_\_\_\_, have read the foregoing Start Wireless Group, Inc. Compliance Manual entitled "Procedures and Safeguards Regarding use and Handling of Customer Proprietary Network Information ("CPNI"). I am familiar with, and fully understand the content of said manual, and the procedures relative to the handling and treatment of CPNI, required thereunder with respect to when I am authorized, or not authorized to use CPNI. In this regard, I have been advised, recognize, and understand that it is the strict policy of Start Wireless, that at no time, for any reason, may I use, sell, market, disclose, provide, divulge, transmit, transfer, convey, or in any other manner give to any person(s) or any entity or entities, any customer's CPNI unless ordered to do so by a court of competent jurisdiction, and then, only if it is deemed lawful under federal law. I understand and agree that any violation or failure to adhere to these guidelines shall be cause for my immediate dismissal.

Finally, attached to the Start Wireless Compliance Manual is an eight-page summarization of the Commission's "*Small Entity Compliance Guide—CPNI*," in CC Docket No. 96-115 (DA 08-1321), released June 6, 2008, containing pertinent excerpts therefrom.

## **PROCEDURES AND SAFEGUARDS REGARDING USE AND HANDLING OF CUSTOMER PROPRIETARY NETWORK INFORMATION ("CPNI")**

In accordance with the provisions and requirements of the Communications Act of 1934, as amended (the "Act"), and §64.2001, *et seq.* of the Rules of the Federal Communications Commission ("FCC"), certain operations of Start Wireless Group, Inc. ("Start Wireless") are subject to regulation as to how it handles, uses, and restricts the use and handling of Customer Proprietary Network Information ("CPNI"). Specifically, Section 222(h) of the Communications Act of 1934, as amended (47 USC Sec. 222(h)), defines what constitutes "CPNI" and certain related terms as follows:

***Customer proprietary network information.*** The term "customer proprietary network information" means—

(A) *information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and*

(B) *information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier; except that such term does not include subscriber list information.*

***Subscriber list information.*** The term "subscriber list information" means any information--

(A) *identifying the listed names of subscribers of a carrier and such subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time of the establishment of such service), or any combination of such listed names, numbers, addresses, or classifications; and*

(B) *that the carrier or an affiliate has published, caused to be published, or accepted for publication in any directory format.*

***Telecommunications carriers.*** A term which includes providers of interconnected VoIP service for the purposes of these rules – must take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI.

The purpose of this Compliance Manual is to establish and implement a formalized system by which a customer's CPNI approval can be established prior to the use of the customer's CPNI, in the event Start Wireless should ever permit, or commence

the sale, marketing, disclosure, sharing, or other use of a customer's CPNI. **AT THIS TIME, ALL SUCH USES OF A CUSTOMER'S CPNI BY ANY START WIRELESS EMPLOYEE(S) IS STRICTLY PROHIBITED AS A MATTER OF COMPANY POLICY.**

All Start Wireless personnel (including all employees, officers, and directors) who reasonably can be anticipated to, or who unintentionally actually do come into contact with, any customer's CPNI, are required to read and fully understand the content of this manual. Once the manual has been read, personnel must indicate their comprehension of and adherence to its contents, by signing where indicated on the last page of this manual, and returning it to their immediate supervisor. A reference copy of this document will then be provided to such personnel.

It is the strict policy of Start Wireless that a customer's CPNI may not for any reason be used, sold, marketed, disclosed, divulged, transmitted, transferred, conveyed, shared, or in any other manner given or revealed to any person(s) or any entity, or entities. Should the Start Wireless policy with respect to the handling of CPNI change, customers will be notified of such change in writing in accordance with FCC Rules. Should such change occur, or should any such CPNI mistakenly be used, sold, marketed, disclosed, provided, divulged, transmitted, transferred, conveyed, or in any other manner given to any person(s) or any entity, or entities, then all applicable provisions of §64.2001 *et seq.* of the FCC's Rules applicable to CPNI shall be observed including, but not limited to, the following:<sup>1</sup>

A written or electronic record shall be maintained of:

- any sales or marketing campaign by Start Wireless, any of its affiliates, or any joint venture of which it, or any of its affiliates is a part, which uses any customer's CPNI;
- each and every instance where CPNI was disclosed or provided to any third party; and
- each and every instance whereby a third party, or parties, was provided, or given access to a customer's CPNI.

Each and every written or electronic record maintained pursuant to these requirements must include:

- a complete description of each such campaign, or breach;
- the specific CPNI used, compromised, or divulged in the campaign or breach;

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<sup>1</sup> In such event, Start Wireless would adhere to all of the Commission's CPNI rules as summarized in its "Small Entity Compliance Guide—CPNI," in CC Docket No. 96-115 (DA 08-1321), released June 6, 2008, pertinent excerpts from which are appended hereto as "Attachment A."

- a description and identification of what products and/or services were offered as part of the campaign, or breach;

Any such records shall be maintained by Start Wireless for a minimum of one year.

In addition, within seven (7) days of the occurrence of any such breach of CPNI data, electronic notification *must be provided* to the **United States Secret Service** and the **Federal Bureau of Investigation ("FBI")**, pursuant to FCC Rules as described, *infra*, under "**CPNI BREACH REPORTING FACILITY**."

All sales and other personnel must obtain supervisory approval from the Start Wireless "Compliance Officer" prior to *any* proposed outbound marketing request for customer approval to release CPNI. It is currently the policy of Start Wireless that any such outbound marketing request is strictly prohibited. The designated "Compliance Officer" of Start Wireless is: **David A. Gall, Financial Manager**, who can be reached at: **(419) 725- 0362**.

### **CPNI BREACH REPORTING FACILITY**

Pursuant to section 64.2011 of the rules of the Federal Communications Commission (47 C.F.R. § 64.2011), a telecommunications carrier or interconnected VOIP provider that determines that a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI is *required to electronically* notify the **United States Secret Service** and the **Federal Bureau of Investigation** through a central reporting facility. In order to complete the reporting process, you must know the FCC Registration Number (FRN) and password of the telecommunications carrier or interconnected VOIP provider filing the report. The central reporting facility is available at: <https://www.cpnireporting.gov>

### **CERTIFICATION**

I, \_\_\_\_\_, have read the foregoing Start Wireless Group, Inc. Compliance Manual entitled "Procedures and Safeguards Regarding use and Handling of Customer Proprietary Network Information ("CPNI"). I am familiar with, and fully understand the content of said manual, and the procedures relative to the handling and treatment of CPNI required thereunder with respect to when I am authorized, or not authorized to use CPNI. In this regard, I have been advised, recognize, and understand that it is the strict policy of Start Wireless, that at no time, for any reason, may I use, sell, market, disclose, provide, divulge, transmit, transfer, convey, or in any

other manner give to any person(s) or any entity or entities, any customer's CPNI unless ordered to do so by a court of competent jurisdiction, and then, only if it is deemed lawful under federal law. I understand and agree that any violation, or failure to adhere to these guidelines shall be cause for my immediate dismissal.

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(Date)

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(Signature)

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## **ATTACHMENT A**

### **COMPLIANCE REQUIREMENTS**

#### **A. Rule Requirements**

##### **1. Safeguarding CPNI**

Telecommunications carriers - a term which includes providers of interconnected VoIP service for the purposes of these rules - must take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI.

START WIRELESS GROUP, INC. (hereinafter "START WIRELESS"), must properly authenticate a customer prior to disclosing CPNI based on customer-initiated telephone contact, online account access, or an in-store visit. [47 C.F.R. § 64.2010(a)]

##### **2. Password for Online Access to CPNI**

START WIRELESS must authenticate a customer without the use of readily available biographical information, or account information, prior to allowing the customer online access to CPNI related to a telecommunications service account.

Once authenticated, the customer may only obtain online access to CPNI related to a telecommunications service account through a password that is not prompted by START WIRELESS asking for readily available biographical information, or account information. [47 C.F.R. § 64.2010(c)]

##### **3. Password for Telephone Access to Call Detail Information**

START WIRELESS may only disclose call detail information over the telephone, based on customer-initiated telephone contact, if the customer first provides START WIRELESS with a password that is not prompted by START WIRELESS asking for readily available biographical information, or account information.

If the customer does not provide a password, START WIRELESS may only disclose call detail information by sending it to the customer's address of record, or by calling the customer at the telephone number of record.

If the customer is able to provide call detail information to START WIRELESS during a customer-initiated call without the telecommunications carrier's assistance, then START WIRELESS is permitted to discuss the call detail information provided by the customer. [47 C.F.R. § 64.2010(b)]

##### **4. In-Store Access to CPNI**

START WIRELESS may disclose CPNI to a customer who, at the carrier's retail location, first presents to START WIRELESS or its agent a valid photo ID matching the customer's account information. [47 C.F.R. § 64.2010(d)]

### **5. Opt-in/Opt-out Customer Approval**

START WIRELESS may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer.

START WIRELESS may, subject to opt-out approval or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to its agents and its affiliates that provide communications-related services.

START WIRELESS may also permit such persons or entities to obtain access to such CPNI for such purposes.

Except for use and disclosure of CPNI that is permitted without customer approval, or as otherwise described in section 64.2007(b) or otherwise provided in Section 222 of the Communications Act of 1934, as amended (47 USC §222), START WIRELESS may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

START WIRELESS may obtain approval through written, oral or electronic methods.

Should START WIRELESS rely on oral approval, it shall bear the burden of demonstrating that such approval has been given in compliance with the Commission's rules in this part.

Approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by START WIRELESS must remain in effect until the customer revokes or limits such approval or disapproval. [47 C.F.R. § 64.2007]

### **6. Training and Express Disciplinary Process in Place**

START WIRELESS must train their personnel as to when they are and are not authorized to use CPNI, and it must have an express disciplinary process in place. [47 C.F.R. § 64.2009(b)]

## **B. Notification Requirements**

### **1. Notification to Law Enforcement of Breach**

START WIRELESS shall notify law enforcement of a breach of its customers' CPNI. The carrier shall *not* notify its customers or disclose the breach publicly, whether voluntarily or under state or local law or the Commission's rules, until it has completed the process of notifying law enforcement.

As soon as practicable, and in no event later than **seven (7) business days**, after reasonable determination of the breach, START WIRELESS shall electronically notify the **United States Secret Service (USSS)** and the **Federal Bureau of Investigation (FBI)** through a central reporting facility. The Commission will maintain a link to that reporting facility at <http://www.fcc.gov/eb/cpni>.

Notwithstanding any state law to the contrary, the START WIRELESS shall not notify customers or disclose the breach to the public until **seven (7) full business days** have passed after notification to the USSS and the FBI, except as provided below.

If the carrier believes that there is an extraordinarily urgent need to notify any class of affected customers sooner than otherwise allowed, in order to avoid immediate and irreparable harm, it shall so indicate in its notification and may proceed to immediately notify its affected customers only after consultation with the relevant investigating agency.

The carrier shall cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.

If the relevant investigating agency determines that public disclosure or notice to customers would impede or compromise an ongoing or potential criminal investigation or national security, such agency may direct START WIRELESS not to so disclose or notify for an initial period of up to **30 days**. Such period may be extended by the agency as reasonably necessary in the judgment of the agency.

If such direction is given, the agency shall notify START WIRELESS when it appears that public disclosure or notice to affected customers will no longer impede or compromise a criminal investigation or national security.

The agency shall provide in writing its initial direction to the carrier, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national security and such writings shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by carriers. [47 C.F.R. § 64.2011(a)-(b)]

## **2. Notification to Customer of Breach**

After START WIRELESS has completed the process of notifying law enforcement, it shall notify its customers of a breach of those customers' CPNI. [47 C.F.R. § 64.2011(c)]

## **3. Notification of Account Changes**

START WIRELESS must notify customers immediately whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed. This notification is not required when the customer initiates service, including the selection of a password at service initiation.

This notification may be through a carrier-originated voicemail or text message to the telephone number of record, or by mail to the address of record, and must not reveal the changed information or be sent to the new account information. [47 C.F.R. § 64.2010(f)]

## **4. Notification before use of CPNI**

### **a. Notification Generally**

Prior to any solicitation for customer approval, START WIRELESS must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI. [47 C.F.R. § 64.2008]

### **b. Content of Notice**

Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit START WIRELESS to use, disclose, or permit access to, the customer's CPNI.



The notification must state that the customer has a **right**, and the carrier has a **duty**, under federal law, to protect the confidentiality of CPNI.

The notification must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.

The notification must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes.

However, START WIRELESS may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

The notification must be comprehensible and must not be misleading.

If written notification is provided, the notice must be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a customer.

If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.

START WIRELESS may state in the notification that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's needs.

START WIRELESS also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.

START WIRELESS may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.

The notification must state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from START WIRELESS is valid until the customer affirmatively revokes or limits such approval or denial.

START WIRELESS's solicitation for approval must be proximate to the notification of a customer's CPNI rights. **[47 C.F.R. § 64.2008]**

**c. Notice Requirements Specific to "Opt-Out"**

START WIRELESS must provide notification to obtain opt-out approval through electronic or written methods, but not by oral communication, except as allowed for notice requirements specific to one time use of CPNI.

Carriers using the opt-out mechanism must provide notices to their customers **every two (2) years**.

Carriers must wait for a minimum of **30 days** after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI.

START WIRELESS, in its discretion, may provide for a longer period.

START WIRELESS must notify customers as to the applicable waiting period for a response before approval is assumed.

In the case of an electronic form of notification, the waiting period shall begin to run from the date on which the notification was sent; and

In the case of notification by mail, the waiting period shall begin to run on the third day following the date that the notification was mailed.

**E-mail Notifications:**

Should START WIRELESS use e-mail to provide opt-out notices, they must comply with the following requirements in addition to the requirements generally applicable to notification:

START WIRELESS must obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;

START WIRELESS must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;

Opt-out e-mail notices that are returned to START WIRELESS as undeliverable must be sent to the customer in another form before START WIRELESS may consider the customer to have received notice;

Should START WIRELESS use e-mail to send CPNI notices, it must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail; and

START WIRELESS must make available to every customer a method to opt-out that is of no additional cost to the customer and that is available **24 hours a day, seven (7) days a week**

START WIRELESS may satisfy this requirement through a combination of methods, so long as all customers have the ability to opt-out at no cost and are able to effectuate that choice whenever they choose. [47 C.F.R. § 64.2008]

**d. Notice Requirements Specific to “Opt-In”**

START WIRELESS may provide notification to obtain opt-in approval through oral, written, or electronic methods. [47 C.F.R. § 64.2008]

**e. Notice Requirements Specific to One-Time Use of CPNI**

START WIRELESS may use oral notice to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether START WIRELESS uses opt-out or opt-in approval based on the nature of the contact.

The contents of any such notification must comply with the content of notice requirements, except that START WIRELESS may omit any of the following notice provisions if not relevant to the limited use for which it seeks CPNI:



START WIRELESS need not advise customers that they may share CPNI with their affiliates or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party;

START WIRELESS need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as it explains to customers that the scope of the approval the carrier seeks is limited to one-time use; and

START WIRELESS may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as it clearly communicates that the customer can deny access to his CPNI for the call. [47 C.F.R. § 64.2008]

### **C. Recordkeeping Requirements**

#### **1. Establishing a Password**

To establish a password, START WIRELESS must authenticate the customer without the use of readily available biographical information, or account information.

START WIRELESS may create a back-up customer authentication method in the event of a lost or forgotten password, but such back-up customer authentication method may not prompt the customer for readily available biographical information, or account information.

If a customer cannot provide the correct password or the correct response for the back-up customer authentication method, the customer must establish a new password. [47 C.F.R. § 64.2010(e)]

#### **2. Records Related to Breaches**

START WIRELESS shall maintain a record, electronically or in some other manner, of any breaches discovered, notifications made to the USSS and the FBI, and notifications made to customers. The record must include, if available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach.

START WIRELESS shall retain the record for a minimum of **two (2) years**. [47 C.F.R. § 64.2011(d)]

#### **3. Records of Approval**

START WIRELESS must maintain records of customer approval for use of CPNI, whether oral, written, or electronic, for at least **one year**. [47 C.F.R. § 64.2007(a)(3)]

#### **4. Records of Notification**

START WIRELESS must maintain records of customer notification of the customers' right to restrict use of CPNI, whether oral, written, or electronic, for at least **one (1) year**. [47 C.F.R. § 64.2008(a)(2)]

#### **5. Records of Marketing Campaigns using CPNI**

START WIRELESS shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. START WIRELESS shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI.

The record must include a description of each campaign, the specific CPNI that was used in the

campaign, and what products and services were offered as a part of the campaign.

START WIRELESS shall retain the record for a minimum of **one (1) year**. [47 C.F.R. § 64.2009(c)]

#### **6. Records of Supervisory Review Process**

START WIRELESS must establish a supervisory review process regarding its compliance with the rules for outbound marketing situations and maintain records of carrier compliance for a minimum period of **one year**. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval. [47 C.F.R. § 64.2009(d)]

#### **D. Filing Requirements**

##### **1. Compliance Certification - March 1 (Annually)**

START WIRELESS must have an officer, as an agent of the carrier, sign and file with the Commission a compliance certificate on an annual basis. The officer must state in the certification that he or she has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules.

START WIRELESS must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is or is not in compliance with the Commission's CPNI rules. [47 C.F.R. § 64.2009(e)]

START WIRELESS must include an explanation of any actions taken against data brokers; and

START WIRELESS should report on proceedings instituted or petitions filed by a carrier at either state commissions, the court system, or at the FCC against data brokers.

START WIRELESS must furnish a summary of all customer complaints received in the past year concerning the unauthorized release of CPNI. [47 C.F.R. § 64.2009(e)]

For the summary of customer complaints, START WIRELESS must report on the number of customer complaints the carrier has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category of complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information.

START WIRELESS must also report on any information that it has with respect to the processes pretexters are using to attempt to access CPNI, and what steps carriers are taking to protect CPNI.

This filing must be made annually with the FCC's Enforcement Bureau on or before **March 1** in EB Docket No. 06-36, for data pertaining to the previous calendar year. [47 C.F.R. § 64.2009(e)]

The Enforcement Bureau compliance certification guidance with a suggested template can be found at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-08-171A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-08-171A1.doc).

##### **2. Notice of Failure of Opt-Out Mechanism - Five Days**

START WIRELESS must provide written notice **within five (5) business days** to the FCC of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly. The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problem(s)

experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.

Such notice must be submitted even if START WIRELESS offers other methods by which consumers may opt-out. **[47 C.F.R. § 64.2009(f)]**